



ANNO VICESIMO

GEORGII V REGIS.

A.D. 1929.

No. 1900.

An Act to amend the Crown Lands Acts, 1915 to 1928.

[Assented to, October 30th, 1929.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Crown Lands Act Amendment Act, 1929". Short title.

(2) The Crown Lands Acts, 1915 to 1928, and this Act may be cited together as the "Crown Lands Acts, 1915 to 1929".

(3) The Crown Lands Act, 1915, is hereinafter referred to as "the principal Act". No. 1199 of 1915.

2. Part X. of the principal Act is amended by inserting after Division II. thereof the following Division:— Amendment of principal Act, Part X.—

DIVISION IIA.—PURCHASE OF LAND BY ARRANGEMENT.

176A. (1) If—

(a) the owner of any land suitable for subdivision into two or more blocks makes an offer in writing to the Commissioner offering to sell the said land to the Commissioner at a price named in the offer; and

(b) two or more persons (according to the number of blocks into which the land is suitable for subdivision) in writing request the Commissioner to purchase the land for the purpose of subdividing it into blocks for allotment to the said persons under agreement for sale and purchase,

Purchase of land by arrangement with intending settlers.

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purchase, containing such terms and conditions as agreements under Division IV. of this Part contain, and submit to the Commissioner a scheme for subdividing and allotting the land in blocks,

the Commissioner may cause the said land to be valued by the Board and the Surveyor-General with a view to purchasing the same as hereinafter mentioned.

(2) If—

- (a) the values placed on the land by the Board and the Surveyor-General are equal to or greater than the price required by the owner of the land and the applicants are willing to pay to the Commissioner a sum equal to one-tenth of the said price; or
- (b) either or both of the values placed on the land by the Board and the Surveyor-General are less than the price required by the owner of the land, but the applicants are willing to pay to the Commissioner a sum equal to one-tenth of the said values or if the said values are different, one-tenth of the lower value, and also the difference between the said values, or if the said values are different, the lower value and the said price, and the Commissioner consents thereto; and
- (c) the value placed on the land by the Board and the Surveyor-General is such that when the land is subdivided into the required number of blocks and allotted to the applicants no block (exclusive of the improvements thereon) will exceed in value the limit of value provided by this Act; and
- (d) the Board is satisfied that the applicants are eligible and suitable persons to hold the said land; and
- (e) the Commissioner, on the recommendation of the Board and the Surveyor-General, approves of the scheme for subdividing and allotting the land; and
- (f) the applicants pay in every case where the said values are both equal to or greater than the price required by the owner, a sum equal to one-tenth of the said price and in any case where either of the said values is less than the said price, one-tenth of the said values, or if the said values are different one-tenth of the lower value and also the difference between the said values and the said price or if the said values are different, the difference between the lower of the said values and the said price, and make a deposit of the prescribed amount and severally agree—

- I. to pay to the Commissioner each his due proportion of the cost of inspecting, surveying, and subdividing the land; and
- II. to

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- II. to purchase the land from the Commissioner in blocks according to the scheme submitted, and comply with any conditions prescribed or imposed by the Commissioner,

the Commissioner may purchase the said land and, when purchased, the land shall be allotted to the applicants in accordance with the scheme, without any notice being published in the *Gazette*, as required by section 177.

The provisions of Divisions IV. and V. of this Part shall, with the necessary modifications, apply to land allotted and agreements issued under this section.

3. Section 177 of the principal Act is amended—

- (a) by striking out the words "Four Thousand Pounds" in the fourth and fifth lines of paragraph II. thereof and by inserting in lieu thereof the words "Seven Thousand Pounds";
- (b) by striking out the passage "may exceed Four Thousand Pounds, but not Five Thousand Pounds" in the second and third lines of paragraph III. thereof and by inserting in lieu thereof the passage "shall, subject as is hereinafter mentioned, not exceed Seven Thousand Pounds"; and
- (c) by striking out the passage "Four Thousand Pounds or Five Thousand Pounds (whichever is applicable to the particular case)" in the eighth and ninth lines of paragraph III. thereof and by inserting in lieu thereof the words "Seven Thousand Pounds".

Amendment of principal Act, s. 177—
Limit of value of block.

4. Subsection (1) of section 180 of the principal Act is amended so as to read as follows:—

(1) In the case of an agreement to which the Commissioner directs that this section shall apply, the term shall be either fifty-five years or sixty-four years, as the Commissioner directs, and the purchase-money and the interest thereon shall be payable by the following half-yearly instalments namely:—

Amendment of principal Act, s. 180—
Term and covenant in certain cases.

- I. During the first two and one-half years of the term of the agreement no portion of the purchase-money shall be payable, and only one-half of the interest at the fixed rate on the purchase-money shall be payable:
- II. During the next two and one-half years of the said term no portion of the purchase-money shall be payable, and interest only at the fixed rate shall be payable:
- III. Thereafter the purchase-money and interest thereon at the fixed rate (including the amounts of interest accruing during the first two and one-half years of the said term) over the whole of the term of the agreement shall be payable in such equal half-yearly instalments as will pay the full amount of the purchase-money and interest as aforesaid during the said term.

5. Section

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Amendment of
principal Act,
s. 181—

Powers of extension
of existing
agreement.

5. Section 181 of the principal Act is amended—

(a) by striking out the words “ entered into before the nineteenth day of November, nineteen hundred and fourteen,” in the second and third lines thereof, and by inserting in lieu thereof the passage “ or under Part X. of this Act”; and

(b) by inserting after paragraph (b) of subsection (2) thereof the following paragraph:—

(b1) for the purpose of fixing the amounts of the instalments, shall assume that the provisions of subsection (1) of section 180 (as amended by section 4 of the Crown Lands Act Amendment Act, 1929) applied to the agreement at the time of the making thereof, and that the instalments payable during the first five years of the term of the agreement were as provided in the said subsection; and the amounts of the instalments fixed pursuant to this section shall be fixed accordingly;

Amendment of
principal Act,
s. 186—

Limitation of
holdings.

6. Section 186 of the principal Act is amended—

(a) by striking out the words “ Four Thousand Pounds ” in the third line of subsection (1) thereof and by inserting in lieu thereof the words “ Seven Thousand Pounds ”;

(b) by striking out the words “ Four Thousand Pounds ” in the seventh line of subsection (2) thereof and by inserting in lieu thereof the words “ Seven Thousand Pounds ”; and

(c) by striking out the passage “ limit fixed by section 31 ” in the last line of subsection (3) thereof and by inserting in lieu thereof the words “ unimproved value of Seven Thousand Pounds ”.

Amendment of
principal Act,
s. 221—

Conditions on
surrender.

7. Section 221 of the principal Act is amended by inserting after the word “ Pounds ” in the seventh line thereof the words “ or in the case of a surrender of a perpetual lease for an agreement, Seven Thousand Pounds ”.

Amendment of
principal Act,
s. 242—

Power to exchange
land granted for
certain purposes.

8. Section 242 of the principal Act is amended by adding at the end thereof the following subsection (the preceding portion of the said section being read as subsection (1) thereof)—

(2) Any lands granted pursuant to paragraph (a) of subsection (1) hereof may, with the consent of the Governor, be exchanged for other lands granted for the purpose for which the lands first mentioned were granted, or may be surrendered to the Crown freed from any trust, express or implied, or subject to such trusts as the Governor approves.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

A. HORE-RUTHVEN, Governor.